

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:21-cv-00241-MR-WCM**

UNITED STATES OF AMERICA )  
and THE STATE OF NORTH )  
CAROLINA, *ex rel.* LISA WHEELER, )  
                            )  
                            )  
Plaintiffs/ )  
Relator,         )  
                    )  
vs.                 )         ORDER  
                    )  
ACADIA HEALTHCARE COMPANY, )  
INC.; CRC HEALTH, LLC; ATS OF )  
NORTH CAROLINA, LLC d/b/a )  
MOUNTAIN HEALTH SOLUTIONS )  
ASHEVILLE, d/b/a ASHEVILLE )  
COMPREHENSIVE TREATMENT )  
CENTER, d/b/a MOUNTAIN HEALTH )  
SOLUTIONS NORTH WILKESBORO )  
(MHS), d/b/a NORTH WILKESBORO )  
COMPREHENSIVE TREATMENT )  
CENTER,                 )  
                            )  
Defendants. )  
                        )

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**THIS MATTER** is before the Court on the United States' and the State of North Carolina's Notice of Election to Decline Intervention and Motion to Unseal Complaint. [Doc. 17].

The United States and the State of North Carolina have declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B) and N.C.G.S. § 1-608(b)(4)(b). Accordingly, the Court enters the following Order.

**IT IS, THEREFORE, ORDERED** that:

1. The Complaint, the Governments' Notice of Election to Decline Intervention and Motion to Unseal Complaint, and this Order shall be unsealed;
2. If the Relator elects to proceed with this action pursuant to 31 U.S.C. § 3730(c)(3) and N.C. Gen. Stat. § 1-609(f), the Relator shall serve the complaint on the Defendants within 90 days of this Order;
3. All other current contents of the Court's file in this action remain under seal and are not to be made public or served upon the Defendants, except for the Complaint, this Order and the Governments' Notice of Election to Decline Intervention, which the Relator will serve upon the Defendants only after service of the Complaint;
4. The seal be lifted as to all other matters occurring in this action after the date of this Order;
5. The parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the United States and the

State of North Carolina, as provided for in 31 U.S.C. § 3730(c)(3) and N.C. Gen. Stat. § 1-609(f). The United States and the State of North Carolina may order any deposition transcripts and are entitled to intervene in this action, for good cause, at any time;

6. The parties shall serve all notices of appeal upon the United States and the State of North Carolina;

7. All orders of this Court shall be sent to the United States and the State of North Carolina; and

8. Should the Relator or the Defendants propose that this action be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States and the State of North Carolina before ruling or granting its approval.

**IT IS SO ORDERED.**

Signed: June 6, 2022



Martin Reidinger  
Chief United States District Judge

